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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 09/868,375  
Filing Date: June 18, 2001  
Appellant(s): ANDREWS ET AL.

\_\_\_\_\_  
Robert M. McDermott  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 06/24/2008 appealing from the Office action mailed 12/07/2007.

Art Unit: 2175

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

Art Unit: 2175

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

5,959,621	Nawaz et al.	09-1999
6,259,432	Yamada et al.	07-2001
6,693,652	Barrus et al.	02-2004
6,832,350	Bates et al.	12-2004
6,392,671	Glaser	05-2002
5,758,934	Flutka et al.	06-1998
6,629,136	Naidoo	09-2003
6,005,767	Ku et al.	12-1999
6,553,919	Nevin	04-2003
6,243,130	McNelley et all.	06-2001

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

***Claim Rejections - 35 USC § 112***

Claims 66-68, and 72 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which

Art Unit: 2175

was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 66 recites “said touch screen directly abuts a part of the table top”. There is a lack of written description in the specification for the claim limitation.

Claims 67 and 68 recite “said touch screen extends to an outer part of said table top”. There is a lack of written description in the specification for the claim limitation.

Claim 72 recites “said touch screen is disposed horizontally and enclosed within an outer part of said upper table side”. There is a lack of written description in the specification for the claim limitation.

### ***Claim Rejections - 35 USC § 103***

Claims 42-44, 47, 49, 50, 60 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. (“Nawaz”, U.S. Pat. No. 5,959,621) and Yamada et al (“Yamada”, U.S. Pat. No. 6,259,432).

Per claim 42, Nawaz teaches an information processing device for exploring information by a user, comprising:

a display screen to display a plurality of flowing links within a flow zone, each of the flowing links being linked to respective information units for display as a presentation in a presentation zone of the display screen (fig. 3; col. 8, lines 14-23 and 34-44; *the examiner interprets flowing links to be scrolling list of data items are being display in a flow zone 142 of fig. 3; each data items (or links) is linked to respective information and the user can select the link to display the respective information, see col. 3, lines 50-55; col. 9, lines 20-25).*

Art Unit: 2175

Although, Nawaz suggests data items can be scrolled at variable speeds and scrolled in different directions horizontally or vertically (see, col. 8, lines 42-50) and the data items can be displayed in a an application window (see, col. 9, lines 55-62), Nawaz does not specifically teach a controller that is configured to selectively change flow speed and flow direction based on locations of user input events within the flow zone. However, Yamada teaches a controller (*mouse of fig. 5*) to selectively change the flow speed and flow direction based on locations of user input events within the flow zone (figs 6-7; *fig. 7 shows scrolling of information within an application window or frame*; col. 18, lines 20-47 *shows that scrolling speed and scrolling direction (i.e. flow speed and flow direction) are changed based on mouse cursor represented by speed indicators displayed relative to the initial centrally located position in fig. 6(c)*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a controller as taught by Yamada in the invention of Nawaz in order to provide a control option to directly adjust speed of the scrolling data items within a display window and visually provide scrolling speed.

Per claim 43, the modified Nawaz teaches an information processing device according to claim 42, wherein the flowing links move at a default none zero flow speed and a default flow direction within the flow zone (Nawaz, *data item are scrolled at a default speed and in a certain direction* see, col. 8, lines 42-50), and user input event selectably change the flow speed or flow direction (Yamada, col. 18, lines 20-47; *a mouse is used to selectable change a flow speed or flow direction*).

Per claim 44, the modified Nawaz teaches an information processing device according to claim 43. Yamada further teaches a user operable point-and-select device for providing the input

Art Unit: 2175

events including selecting a location within the flow zone (*clicking of input device for selecting a specific location* see col. 12, lines 36-44), and flow of the flowing links within the flow zone is stoppable in response to the user statically selecting a location within the flow zone with the user operable point-and-select device (*it is inherent that scrolling is stoppable when the user selecting a location by moving the mouse 200 to the initial located display (initial coordinate) because the scroll speed is relative to the initial display (initial coordinate)*, see col. 18, lines 27-31).

Per claim 47, the modified Nawaz an information processing device according to claim 43, wherein the flow zone is arranged to alternately display the links and flow control areas (Nawaz; *ticker display pane 142 of fig. 3 displays links (e.g, 150 and 152 ect.), each link represents a control area because it is select by the user (see col. 9, lines 20-25)*, and the flow is controlled by selecting the flow control areas with the input device (Yamada, *user can select a location within a window frame and control the scrolling speed or direction*, see col. 12, lines 36-44 and col. 18, lines 20-45).

Per claim 49, the modified Nawaz teaches an information processing device according to claim 42, further comprising: a filtering unit including a plurality of user selectable filters for controlling the flow zone to display links to information units which meet a requirement imposed by a selected filter (Nawaz, col. 9, lines 37-54; *customization of content provided in the viewer 142 of fig. 3*).

Per claim 50, the modified Nawaz teaches an information processing device according to claim 49, wherein the filtering unit adapts the selected filter to display links to information units similar to the related information unit (Nawaz, col. 9, lines 37-54; *a user can customize the content provided in the viewer 142 of fig. 3*).

Claims 60 and 61 individually are rejected under the same rationale as claim 42.

Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. (“Nawaz”, U.S. Pat. No. 5,959,621), Yamada et al (“Yamada”, U.S. Pat. No. 6,259,432), and Barraus et al. (“Barraus”, U.S. Pat. No. 6,693,652).

Per claim 48, the modified Nawaz teaches an information processing device according to claim 42 having information related to data item or link is displayed when selected (see col. 3, lines 51-55 and col. 9, lines 20-25) but does not teach wherein a presentation of the content from the related information unit is initiated by a user input event that includes dragging a selected link to the presentation zone. However, Barraus teaches dragging a link to a browser window will automatically retrieve the webpage related to the link (fig. 15; steps 1508-1512; col. 25, line 56-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Barraus in the invention of the modified Nawaz in order to provide the user with automatically displaying of a web page related to a link by dragging the link to a browser window.

Claims 51 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. (“Nawaz”, U.S. Pat. No. 5,959,621), Yamada et al (“Yamada”, U.S. Pat. No. 6,259,432) and Bates et al. (“Bates”, U.S. Pat. No. 6,832,350).

Per claims 51 and 54, Nawaz teaches an information processing device according to claim 42, but does not teach a user-link unit to maintain a plurality of preferred user-links and



Art Unit: 2175

display the user-links in a further zone. However, Bates teaches a user-link unit to maintain a plurality of preferred user-links and display the user-links in a further zone (fig. 4 and fig. 14, col. 9, lines 53-67; *user can maintain a plurality of preferred use-links and display the user links in a window by creating bookmarks*). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Bates in the invention of the Nawaz in order to provide the user with a method for creating bookmarks and organizing and presenting such bookmark.

Per claim 54, the modified Nawaz teaches an information processing device according to claim 51, wherein a frequency of display of an information unit in the flow zone is determined by an age and/or popularity of the information unit (Nawaz, col. 9, lines 37-54; col. 8, lines 62-57; *since the data items are being displayed in rotation one after another, the users can set how often they want to see a data item by choosing more or less number of content providers to source the data items*).

Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. ("Nawaz", U.S. Pat. No. 5,959,621), Yamada et al ("Yamada", U.S. Pat. No. 6,259,432), and Bates et al. ("Bates", U.S. Pat. No. 6,823,350), and Glaser (U.S. pat. No. 6,392,671).

Per claim 52, the modified Nawaz teaches an information processing device according to claim 51, comprising the user-link unit for sorting and/or retrieving the preferred user-links (Bates; fig. 4 and fig. 14, col. 9, lines 53-67; *user can maintain a plurality of preferred use-links and by using bookmarks*), but does not teach further comprising: a detector for communicating with a user supplied data carrier in response to control by the user-link unit for retrieving the user

Art Unit: 2175

personal preferences (col. 2, lines 38-45; col. 5, lines 27-33; *a mouse with memory for storing user personal preferences*). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Glaser in the invention of the modified Nawaz in order to automatically transport user preferences from one computer system to another computer system.

Claim 55 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. ("Nawaz", U.S. Pat. No. 5,959,621), Yamada et al ("Yamada", U.S. Pat. No. 6,259,432), and Flutka et al. ("Flutka", U.S. Pat. No. 5,758,934).

Per claim 55, the modified Nawaz teaches an information processing device according to claim 42, but does not teach a table for supporting the display screen. However Flutka teaches a table for supporting the display screen (fig. 1; see Abstract; col. 2, lines 45-51). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a screen is adapted for use in a horizontal plane as taught by Flutka in the invention of Nawaz in order to improve the health of the computer operator and to provide for an unimpeded forward line of sight by the computer operator.

Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. ("Nawaz", U.S. Pat. No. 5,959,621), Yamada et al ("Yamada", U.S. Pat. No. 6,259,432), and Naidoo (U.S. Pat. No. 6,629,136).

Per Claim 56, Nawaz teaches an information processing device according to claim 42, but does not teach the respective information units for display on the display screen correspond to a location of the information processing device. However, Naidoo teaches the respective

Art Unit: 2175

information units for display on the display screen correspond to a location of the information processing device (col. 2, lines 21-41). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a screen that is adapted for use in a horizontal plane as taught by Naidoo in the invention of Nawaz in order to automatically provide information content to the user based on location of the user's device.

Claims 57, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. ("Nawaz", U.S. Pat. No. 5,959,621), Yamada et al ("Yamada", U.S. Pat. No. 6,259,432), and Ku et al. ("Ku", U.S. Pat. No. 6,005,767).

Per claims 57 and 58, Nawaz teaches an information processing device according to claim 42, but does not teach wherein the display screen and the controller are embodied as part of a portable device, and wherein the portable device is a hand-held device. However, Ku teaches wherein the display screen and the controller are embodied as part of a portable device, and wherein the portable device is a hand-held device (col. 2, lines 25-29, col. 4, lines 36-41; col. 5, lines 6-15; *portable computer with input device*). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Ku in the invention of Nawaz in order to provide a user with a portable computer which is lightweight and convenient to transport.

Claims 65, 67, 68, 71 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. ("Nawaz", U.S. Pat. No. 5,959,621), Ku et al. ("Ku", U.S. Pat. No. 6,005,767), Nevin (U.S. Pat. No. 6,553,919), and Yamada.

Art Unit: 2175

Per claim 65, Nawaz teaches a display screen comprising:

a graphical user interface having a plurality of user responsive display elements for displaying on the display screen (fig 3, *ticker display viewer with plurality display elements or links*, see col. 8, lines 14-22), the responsive display elements comprising:

a flow zone comprising a list of flowing links displayed around a periphery of the display screen (*the examiner considers the list of flowing links to be scrolling list of links*, see col. 8, lines 14-23 and lines 34-44. *This list of links are display around the top edge of the desktop 104 of fig. 3 and it can be displayed around the right edge of the desktop see fig. 10*); and

a presentation zone for presenting information selected from the flowing links as a presentation (see col. 3, lines 51-56 and col. 9, lines 20-25; *user can select a link from the scrolling links to be displayed. Such display is considered as a presentation in a presentation zone (e.g. browser display of fig. 11)*).

Although Nawaz teaches a display screen for displaying said graphical user interface, Nawaz does not specifically teach the display screen is a touch screen and a table comprising a table top and display screen occupies a portion of a table top and a controller that is responsive to user input events within the flow zone for altering a flow rate of the flowing links. However, Ku teaches a computer with touch-screen technology (col. 2, lines 25-29; and col. 5, lines 1-15; *a computer with a touch sensitive screen*). Nevin teaches a table comprising a table top and display screen occupies a portion of a table top (see fig. 1; *a table with display screen built-in*). Yamada teaches a controller (*mouse of fig. 5*) that is responsive to user input events within the flow zone for altering flow rate of the flowing links (figs 6-7; *fig. 7 shows scrolling of information within an application window or frame*; col. 18, lines 20-47 *shows that scrolling*

Art Unit: 2175

*speed and scrolling direction (i.e. flow rate) are changed based on mouse cursor represented by speed indicators displayed relative to the initial centrally located position in fig. 6(c))*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the computer with a touch-screen as taught by Ku, a table with a built-in display as taught by Nevin and a controller as taught by Yamada in the invention of Nawaz in order to provide the user with a portable computer that is enhanced with a touch screen technology which allows the user directly enter data directly through the touch sensitive screen a, in order to provide the user with a desk or a table with a built-in display which is mounted so that it can be moved to an appropriate viewing position relative to the work surface, when required, and in order to provide a control option to directly adjust speed of the scrolling data items within a display window and visually provide scrolling speed.

Per claim 67, the modified Nawaz teaches a table according to claim 65. Nevin further teaches where said touch screen extends to an outer part of said table top (fig. 1; *the examiner considers the surface surrounding the display screen as an outer part of the table top. In fig 1, the left side or right side of the display screen 14 extends to an outer part of the table top*).

Per claim 68, the modified Nawaz teaches a table according to claim 67, said touch screen is enclosed in said table top by said outer part (fig. 5, *the display screen is enclosed is enclosed in said table top by said outer part*).

Claim 71 is rejected under the same rationale as claim 65.

Per claim 72, the modified Nawaz teaches a table according to claim 71. Nevin further teaches said touch screen is disposed horizontally and enclosed within an outer part of said upper

Art Unit: 2175

table side (figs. 5 and 6; *the display screen is shown disposed horizontally and enclosed within an outer part of said upper table side*).

Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. (“Nawaz”, U.S. Pat. No. 5,959,621), Ku et al. (“Ku”, U.S. Pat. No. 6,005,767), and Nevin (U.S. Pat. No. 6,553,919) and McNelly et al. (“McNelly”, U.S. Pat. No. 6,243,130).

Per claim 66, the modified Nawaz a table according to claim 65 having a table with a built-in touch screen as described above. The modified Nawaz does not specifically teach said touch screen is directly abuts a part of said table top, and said touch screen is disposed horizontally in said table top and flush with areas of said table top surrounding said touch screen. However, McNelly teaches a display that is being built into a table wherein the screen is directly abuts a part of said table top (col. 8, lines 32-33; *a display screen is being built into a table the screen surface flush (or abut) with table surface*), and is disposed horizontally in said table top and flush with areas of said table top surrounding said touch screen (col. 8, lines 32-33; *a display screen is being built into a table the screen surface flush with table surface*). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the a display screen is being built into a table the screen surface flush with table surface as taught by McNelly in the invention of the modified Nawaz in order to provide the user with a different viewing angle of a display screen in which the display screen surface is flush with the table surface. This viewing angle would be advantageous in a classroom setting because this would give a better line of sight between an instructor and his of her student.

Art Unit: 2175

Claims 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. ("Nawaz", U.S. Pat. No. 5,959,621), Yamada, and Nevin (U.S. Pat. No. 6,553,919).

Per claim 73, Nawaz teaches an information processing device comprising:

a display screen to display a plurality of flowing links within a flow zone, each of the flowing links being linked to respective information units for display as a presentation in a presentation zone of the display screen (fig. 3; col. 8, lines 14-23 and 34-44; *the examiner interprets flowing links to be scrolling list of data items are being display in a flow zone 142 of fig. 3; each data items (or links) is linked to respective information and the user can select the link to display the respective information, see col. 3, lines 50-55; col. 9, lines 20-25*); and an input device responsive to control by the user to directly alter the flow of the links and to select one of the flowing links (*a user can alter the flow of the links by select variable speeds through a control menu, and select one of the flowing links, col. 8, lines 44-47 and col. 9, lines 20-25*).

Nawaz does not specifically teach a table comprising an upper and substantially horizontal table side and a display screen is disposed horizontally in said upper table side, a controller that is responsive to user input events within the flow zone for altering a flow rate of the flowing links. Nevin teaches teach a table comprising an upper and substantially horizontal table side and a display screen is disposed horizontally in said upper table side (figs. 5 and 6; *the display screen is shown disposed horizontally in an upper table side*). Yamada teaches a controller (*mouse of fig. 5*) that is responsive to user input events within the flow zone for altering flow rate of the flowing links (figs 6-7; *fig. 7 shows scrolling of information within an application window or frame; col. 18, lines 20-47 shows that scrolling speed and scrolling*

Art Unit: 2175

*direction (i.e. flow speed and flow direction) are changed based on mouse cursor represented by speed indicators displayed relative to the initial centrally located position in fig. 6(c)).*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a table with a built-in display as taught by Nevin in the invention of Nawaz in order to provide the user with a desk or a table with a built-in display which is mounted so that it can be moved to an appropriate viewing position relative to the work surface, when required, and in order to provide a control option to directly adjust speed of the scrolling data items within a display window and visually provide scrolling speed

Claims 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. ("Nawaz", U.S. Pat. No. 5,959,621), Yamada, Nevin, and Ku et al. ("Ku", U.S. Pat. No. 6,005,767).

The modified Nawaz teaches the table according to claim 73, the display screen and the input device cooperated to form a graphical user interface, and the plurality of flowing links within the flow zone are user responsive display elements displayed around a periphery of the screen (Nawaz, *the examiner considers the list of flowing links to be scrolling list of links, see col. 8, lines 14-23 and lines 34-44. This list of links are display around the top edge of the desktop 104 of fig. 3 and it can be displayed around the right edge of the desktop see fig. 10).*

The modified Nawaz does not specifically teach the display screen is a touch screen. However, Ku teaches a computer with touch-screen technology (col. 2, lines 25-29; and col. 5, lines 1-15; *a computer with a touch sensitive screen*). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the computer with a touch-screen as taught by Ku in the invention of Nawaz in order to provide the user with a portable



Art Unit: 2175

computer that is enhanced with a touch screen technology which allows the user directly enter data directly through the touch sensitive screen.

### **(10) Response to Argument**

Appellants arguments in the Brief have been fully considered but are not persuasive.

Appellants primary argument is that Yamada does not teach the feature of selectively changing flow speed and flow direction based on locations of user input event within the flow zone.

The examiner does not agree for the following reasons:

During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In this case, Yamada teaches the feature because in fig. 7 Yamada shows scrolling of information within an application window or frame, see col. 18, line 48-51. col. 17, lines 50-52 and col. 18, lines 20-47 show that scrolling speed and scrolling direction (i.e. flow speed and flow direction) are changed based on mouse cursor represented by speed indicators displayed relative to the initial centrally located position in fig. 6(c) in response to a ScrollMsg received by the Scroll Mapper).

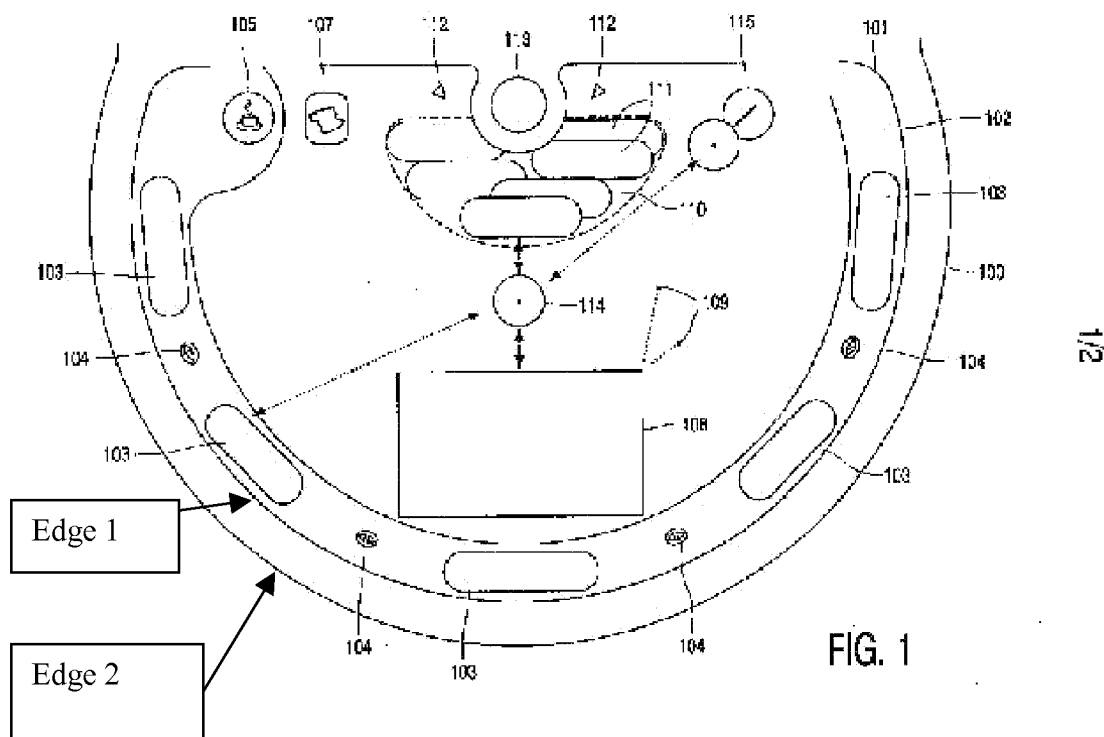
Art Unit: 2175

As for claims 66-68 and 72, Appellants point out that features for claims 66-68, 72 are clearly described at page 6, lines 14-17 and Fig. 1.

The examiner does not agree for the following reasons:

The written description for claims 66 can be found in fig. 1 and page 6, lines 14-17. However, the specification does not clearly describe the claim limitation of “said touch screen directly abuts a part of said table top.” Even though, from the top down view as portrayed in fig. 1, it seems that the touch-screen is abutting a part of the table top, but there is a possibility that the touch-screen is elevated from the table top. Because of this possibility, the touch screen is not directly abutting a part of the table top as required by the claim. Accordingly, the specification only describes a table with a built-in touch screen. There are no specific explanations of how the touch screen is being built or positioned into the table.

The written description for claims 67-68, and 72 can be found in fig. 1 and page 6, lines 14-17. The key to determine whether the specification describe the limitation of claims 66-68 and 72 depends the position of the table edge as shown in the figure 1. The position of the table edge is ambiguous as displayed in figure 1. There are two possible edges in figure 1 namely edge 1 and edge 2 (see picture below).



If the edge 1 is considered to be the edge of the table then the touch screen is extending to the outer part of the table top. However, if the edge 2 is considered to be the edge of the table then the touch screen is not extending to the outer part of the table top. Accordingly, the specification only describes a table with a built-in touch screen. There are no specific explanations of how the touch screen is being built or positioned into the table.

Art Unit: 2175

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Thanh T. Vu/  
Primary Examiner, Art Unit 2175  
September 10, 2008

Conferees:

/WILLIAM L. BASHORE/  
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